

DISTRICT ADVISORY BOARD (DAB) I

MEETING MINUTES

Monday, March 7, 2005

7:00 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Vice Mayor Carl Brewer
Gerald Domitrovic
Treatha Brown-Foster
Lois Tully-Gerber
Lori Lawrence
Debra K. Miller Stevens
Debby Moore
Sharon Myers*
Steve Roberts
James Thompson
LaVonta Williams

Members Absent

Guests

Dorothy Nave, 1802 Looman
Carl Ligon, 1736 NE Parkway
Beverly Domitrovic, Schweiter NA
Howard Hancock, 145 N. Hillside
Bob Kaplan, 420 N. Market
Robert L. Bell, 1449 N. Poplar
Traci Addington, 154 N. Topeka
Glen Dey, 4515 Greenbriar
Kattie Gatewood, 3120 Ethel
Maurice Gatewood, 3120 Ethel
Greg Burge, 6912 Croyden Circle
(continued on last page)

***Alternates**

City of Wichita Staff Present

Virdena Gilkey, Neighborhood Assistant
Bill Longnecker, MAPD
Officer Rose, WPD

Order of Business

Call to Order

Pro-tem Debby Moore called the meeting to order at 7:05 p.m. and welcomed the guests. She asked that those who wished to address the board would please state their name and address and keep their remarks limited to five minutes. Several citizens asked to speak on the zoning cases.

Approval of Minutes

Roberts (Miller-Stevens) made a motion to approve the February 2005 minutes as submitted. Motion carried (8-0).

Approval of Agenda

Roberts (Williams) made a motion to approve the agenda. Motion carried (8-0).

Public Agenda

1. Scheduled Item

No items submitted.

2. Off-agenda items

No items submitted.

Staff Reports

3. Police Report

Officer Rose, Patrol South, Beat 22, reported the following: 1) a burglar was caught in Iola, Kansas and was the same person that hit downtown Wichita. This person had about 200 burglaries on the west side of Wichita as well; 2) Waterwalk project has begun construction and they are working with Key Construction on fencing and securing the parameters; 3) monies have been appropriated for a new skate park, which is exciting for the youth to have a safe place to skate; 4) Officers Floyd and Dill conducted a hotel interdiction sting which resulted in five felony arrests, four misdemeanors, ten bench warrants, and a felony domestic violence and drug arrest.

(Officer Rose's response in italics)

Tully-Gerber asked about the location of the park. *The skate park is located at the Kellogg and St. Francis.*

The board received and filed.

4. Community Advisory Council Appointments

Traci Addington, Chair of Continuum Care, provided an explanation of the role of the Community Council on Homeless Advocacy (CCHA). She reviewed the PowerPoint presentation, which covered the membership, mission, council responsibilities, HUD SuperNova grant funded projects, DAB involvement, and time commitment.

She explained that they fund mental illness, HIV aids, emergency shelters, ComCare, Inter-Faith Ministries, Salvation Army, Wichita Children's Home, etc.

The board submitted **Debby Moore and Steve Roberts** as volunteers to serve on the Community Advisory Council, which serves as a subcommittee to CCHA.

Recommended Action: Debby Moore and Steve Roberts were appointed to the CCHA.

5. ZON2005-00001

Bill Longnecker, MAPD, explained that the applicant is requesting a "LC" Limited Commercial zoning on a .62-acre site, currently zoned TF-3 Two-family. The proposed use is a grocery store on a redeveloped corner site, north of 13th Street, and between Grove and Poplar. The southern 16 feet of the application area is already zoned LC; the proposed grocery store site would include the existing LC and GC zoned lots south of the application area, giving the site access to 13th Street. North of the application area are TF-3 zoned single-family residences and vacant lots. South of the application area, across the alley, are LC and GC properties with vacant commercial buildings. East and west of the application area are TF-3 zoned single-family residences, vacant lots, and a church parking lot.

Mr. Longnecker added that staff as well as MAPC has approved this request.

Gene Rath, MKEC Engineering, handed out copies of the site plan to the board members. He then reviewed the plans and explained the location of the truck ramp, loading docks, and the trash receptacles.

The following citizens addressed the board: 1) **Mr. Bell, 1429 North Poplar**, commented that the trash dumpster will be located right next to his neighbors house and asked if it

could be relocated; 2) **Richard Perry, 1423 North Poplar**, strongly opposed the request due to the location of the trash dumpsters and the loading docks, which would be located

directly in front of his house. He stated that he opposes the odors and noise from the large trucks; 3) **Clara Perry, 1423 North Poplar**, explained that she is not opposed to the store, because it is very much needed. However, she is opposed to the noise from the loading dock, the odor from the trash, and the traffic increase on their block. She asked if the dumpsters could be moved to please do. She also asked that the screening fence be brick and not wood; 4) **Willie Burton, 2326 N. Poplar**, suggested that the applicant use dumpsters that are similar to the ones used by Wichita State University. He said these receptacles do not cause an odor or attract insects; 5) **Crystal Carter, 2707 N. Minnesota**, stated that she is in support of the store as the area only has a Family Dollar for shopping. She added that the store would provide area jobs and convenience for the citizens without transportation; 6) **Erna Ross, 2202 N. Kansas**, she stated that she supports the grocery store, but encourages the applicant to build a brick wall for those affected by the trash and noise; and 7) **Janice Hardman, 1555 North Estelle**, stated that they are in desperate need of a grocery store in the core area. This store will help senior citizens, churches, and area businesses. She asked that the board please approve this project.

The board was concerned with the following: 1) if the location of the dumpsters follow the same site plan as other stores; 2) what the planner meant in regards to pre-empting on page 3; 3) if the project is in conformance with the commercial guidelines for this location; 4) will additional homes be torn down to accommodate the project; 4) the location of the screening fence and if it could be relocated to the satisfaction of the neighbors; and 5) if the applicant would be willing to address the concerns of the Perry's, so that they don't feel the stress from the store.

The boards concerns were satisfactorily addressed.

Brown Foster (Tully-Gerber) moved to recommend approval of the request. Motion passed 8-0.

6. **CON2005-00002**

Bill Longnecker, MAPD, explained that the applicant is requesting a Conditional Use to allow outdoor vehicle and equipment sales a lot that is currently zoned "LC" Limited Commercial. The site is located at the southwest corner of Hillside Avenue and 1st Street. Applicant is requesting to sell pre-owned vehicles. The subject site is developed with a five-bay door garage/office, used for limited car and light truck repair. The applicant's site plan shows the existing garage/office, two proposed drives onto Hillside Avenue and the one onto 1st Street, two existing lights, proposed signage, circulation completely around the site and the parking/display area. If approved, the applicant would need to provide a revised site plan providing more detail. He added that staff is recommending approval of the request.

The board was concerned with the traffic flow that already has a bottleneck affect on a way one street. However, they supported economic development in the area and believed the request to be appropriate for the neighborhood.

The applicant, **Howard Hancock, 145 North Hillside**, showed photos of the improvements he has made to the property. He stated that he is a small operation, but has a well-run facility and he intends to keep improving the property.

Domitrovic (Brown Foster) then moved to recommend approval of the request. Motion passed 8-0.

7. **CON2005-00003**

Bill Longnecker, MAPD, explained that the applicant is requesting a Conditional Use for additional parking for his existing business, a rental hall. Mr. Longnecker stated that the lot is currently zoned Single Family Residential "SF" and the size of the lot is 0.34 acres. There are currently 51 existing parking spaces, which exceed the minimum parking requirement for the general retail at this site. He added that staff feels that the request for additional parking is premature and that past history reveals that previous uses of the facility were not permitted in the "LC" zoning district. Alcohol was consumed on the premises, which establishes it as a drinking establishment.

Mr. Longnecker then explained staff's recommendation of denial based on the location of the request, adequate parking currently exists, lack of compliance to the noise ordinance, and request has been made to support a business that is not permitted by right in the "LC" zoning district.

The board was concerned with the following: 1) past negative history of this establishment with area residents; 2) if parking is adequate for a rental hall; 3) if applicant has agreed to abide by his intended use of the facility; 4) why the applicant or a representative was not present to explain the request.

Four citizens spoke in opposition of the request. **Willie Burton, 2326 Poplar**, stated that the property has a history of bad things occurring with the drinking of alcohol being a factor. He added that the senior citizens in the area are afraid of retaliation and that the problem is the rental hall has become a nightclub. Mr. Burton remarked that the Matlock Heights Neighborhood Association recommends denial of this request. **Dorothy Nave, 1802 Looman**, commented that when the establishment was the Mecca Club, there were negative issues with youth. She cited the following issues: a) the parking lot is not maintained and debris is a problem; b) bad lighting, which increases unwanted activity; c) gang fights have occurred at this establishment; d) drive by shootings in the past; e) inadequate security; and f) liquor drinking is a problem even though the establishment is not licensed for liquor. **Katie Gatewood, 3120 Ethel**, stated that she lives across the street from the property and have witnessed drug usage and sales at the location. She added that undesirable activity occurs which caused them to put up a fence. This did not detour traffic and they have had people jump their fence in a chase. Mrs. Gatewood added the following: a) cars constantly block driveways; b) shootings frequently occur; c) liquor usage is present on Saturday nights; d) trash and cooking grease is left outdoors and smells; and e) constant loud noise, which violates the noise ordinance. **Gertrude Jamison, NE Millair Neighborhood Association**, said that she and the association recommends denial of the request. They are the recipients of the traffic that flows through their area.

Roberts (Tully-Gerber) moved to recommend denial of the request. Motion passed 8-0.

Unfinished Business

No items submitted

New Business

No items submitted

Board Agenda

8. Updates, Issues, and Reports

- **Steve Roberts** reported that the outdoor storage of vehicles has begun again on north.
- **Debby Moore** reported that the noise ordinance has disbanded in her neighborhood and she hopes that the sound ordinance would be enforced. She also reported that they have five vacant properties in the neighborhood.
- **Treatha Brown Foster** asked that we have an officer from Patrol North attend the meetings.
- **Moore** announced the coalition breakfast on April 2nd and the next DAB 1 Meeting on April 4th.

The board received and filed.

With no further business, **Tully-Gerber (Roberts)** made a motion to adjourn. Motion carried 8-0.
The meeting adjourned at 9:12 p.m.

Respectfully Submitted,

Virdena Gilkey
Neighborhood Assistant

Guest Continued

Wanda Chisholm, 5727 Odessa
Cullen Arbertha, 2707 N. Minnesota
Willie Burton, 2356 N. Poplar
John Stevens, 3125 E. Boston
Mary Jo Bond, 4024 Charron
Vesta Florence, 1802 N. Hydraulic
Jeri Woodard, 1457 N. Erie
Crystal Carter, 2707 N. Minnesota
Rolycia Burkes, 2710 N. Minnesota
Joann Hartig, 1756 S. Main
Lenny Rose, 211 E. Pawnee
Janice Hardeman, 1555 N. Estelle
Gene Rath, MKEC Engineering, 411 N. Webb
Gertrude Jamison, 2702 N. Minnesota
Teresa Lybargs, 253 N. Erie
Verna Ross, 2202 N. Kansas